

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**
Thurgood Marshall United States Courthouse
40 CENTRE STREET
New York, New York 10007
212-857-8500

JOHN M. WALKER, JR.
CHIEF JUDGE

ROSEANN B. MACKECHNIE
CLERK OF COURT

August 4, 2005

FOR IMMEDIATE RELEASE

Non-Argument Calendar in the Second Circuit Court of Appeals

Commencing on October 3, 2005, the Second Circuit Court of Appeals will institute a Non-Argument Calendar for all INS cases involving denial of an asylum claim. Asylum cases compose the great majority of the immigration appeals that have reached the Second Circuit since 2002 and have created an unprecedented backlog that currently stands at just under 5000 cases. The Non-Argument Calendar (NAC) will operate throughout the year and will be separate from the court's Regular Argument Calendar (RAC).

Three judges will be on every NAC panel and will decide the NAC cases on submission. Under the present plan, if any judge of a NAC panel decides that a particular case would benefit from oral argument, that judge may transfer that case to the RAC for oral argument in the ordinary course. Any party may request in its brief that a case on the NAC be transferred to the RAC.

The present plan is to have up to four NAC panels scheduled for each week with each panel receiving up to twelve cases for decision without oral argument. Filing and briefing requirements for cases on the NAC will be the same as for cases on the RAC.

These arrangements are subject to such future change and adaptation as may be required to assure that the court decides the increased flow of cases in a thorough and expeditious manner. Litigants should consult the court's website (www.ca2.uscourts.gov) for any updates on the NAC plan and for announcements that may affect their cases.

John M. Walker Jr.
Chief Judge